

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

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YAFEST OLIVER, CRAIG JACKSON,  
HAYDEN MARSHALL, BILAL LEWIS  
and JOHNNY ALEXANDER,  
Plaintiff,

v.

SECRETARY GEORGE LITTLE and  
FORMER SECRETARY JOHN WETZEL,  
Defendants.

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No. 2:22-cv-3715

**ORDER**

(Fed. R. Civ. P. 16 Scheduling Deadlines)

AND NOW, this 1<sup>st</sup> day of May, 2024, pursuant to Federal Rule of Civil Procedure 16,  
**IT IS ORDERED** as follows:

**1. Fact Discovery**

- (a) Deadline for Serving Interrogatories and Requests for Production. All interrogatories and requests for production shall be served on or before **June 3, 2024**, otherwise the right to serve interrogatories and requests for production will be deemed to have been waived.
- (b) Deadline for Completion of All Fact Discovery. All fact discovery, including, but not limited to, depositions, shall be completed on or before **September 3, 2024**.

**2. Expert Discovery**

- (a) Deadline for Completion of Expert Discovery. On or before **September 3, 2024**, counsel for each party shall serve upon counsel for every other party all expert reports and a curriculum vitae for each expert pursuant to Federal Rule of Civil Procedure 26(a)(2)(B).
- (b) Rebuttal Expert Reports. If intended solely to contradict or rebut evidence on the same subject matter identified by an expert witness for another party, counsel shall serve rebuttal expert reports and a curriculum vitae for each expert on counsel for every other party **not later than fifteen (15) calendar days of the other party's disclosure**.

- (c) Non-Compliance. Any violation of the disclosure requirements arising under the Federal Rules of Civil Procedure, the Court's Local Rules of Civil Procedure, or this Scheduling Order may result in the barring of expert testimony at trial.

### 3. Dispositive Motions

- (a) Deadline for Filing of Dispositive Motions. All dispositive motions shall be filed **not later than October 3, 2024.**
- (b) Motions for Summary Judgment - Required Statement of Undisputed Material Facts. Any motion for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure must be accompanied by a separate, short, and concise statement, in numbered paragraphs, of the material facts as to which the moving party contends there is no genuine issue to be tried. The moving party shall include only those facts that are material to the issues in dispute in the enumerated statement of facts. The moving party shall accompany each factual assertion with a citation to the specific portion(s) of the record that support the assertion, including the exhibit, page, and line numbers. When a factual assertion cites to a deposition transcript, counsel shall attach a copy of the entire transcript containing the cited testimony to the motion. The Court will not consider a factual assertion that is not supported by a citation to the record.
- (c) Responses to Motions for Summary Judgment - Required Answer to Moving Party's Statement of Undisputed Facts. A party opposing a motion for summary judgment shall file a separate, short, and concise statement responding to the numbered paragraphs set forth in the moving party's statement of undisputed facts and shall either concede the facts as undisputed or state that a genuine dispute exists. If the opposing party asserts a genuine dispute exists as to any fact, the party shall cite to the specific portion(s) of the record that create the dispute, including the exhibit, page, and line numbers. The opposing party shall also set forth in enumerated paragraphs any additional material facts that the party contends preclude summary judgment. When a factual assertion cites to a deposition transcript, counsel shall attach a copy of the entire transcript containing the cited text. All facts set forth in the moving party's statement of undisputed facts shall be deemed admitted unless controverted.
- (d) References to the Record. All statements of material facts shall include a citation to the specific portion(s) of the record that support the assertion, including the exhibit or transcript, page and line numbers.
- (e) Effect of Uncontested Facts. All facts set forth in the moving party's statement of material facts may be taken by the Court as admitted unless controverted by the opposing party.

- (f) Briefs – Required Contents. All briefs shall contain the following information, labeled and organized as follows:
- (i) Statement of Pertinent Facts
  - (ii) Statement of the Questions Involved
  - (iii) Summary of Argument
  - (iv) Argument
  - (v) Short conclusion stating the precise relief sought
  - (vi) Proposed Order that would grant the precise relief sought
- (g) No Courtesy Copies. Courtesy copies should not be provided to chambers unless specifically required by the Court.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.  
JOSEPH F. LEESON, JR.  
United States District Judge